Nebraska

HIGH COURT DECIDES CASES

Holds Man Interfering in Dog Fight Cannot Collect Damages.

Fatlure to Make Journey Because of High Water Not Cause of Action on Which Damages May Be Collected.

(From a Staff Correspondent. LINCOLN, March 12 -(Special.) -Supreme court opinions handed down today indicate that the man who gets bit in a dog fight has no redress in court; that water high enough to keep is not sufficient grounds for damages of Douglas county. against the Burlington rallroad; that religious services can be held in country school houses if not held too often, and that a company which refuses to list its property for taxation must stand for any raise the county board may make. The opinions follow:

The court affirms the judgment of the Douglas county district court, secured by August D. Witt, against George W. Caldwell and Lester Drake, contractors who built the Douglas county court house.

Wift was engaged in working around a hoisting arrangement for carrying material to the top of the building when the cable became tinsted. He was directed by the foreman to straighten out He sued for \$2,000 and was awarded

Charity and Mechanics Liens. Trustees elected to manage the anairs of a charitable organization cannot enter into a valid contract by which its property may become subject to mechanic's lien without first having obtained an flood was unusual and the damage would order of the district court for that purpose. The opinion comes from the action of the Western Supply company of Lincoin who filed a mechanic's lien against Tubith home, an institution near Lincoln

for aged and infirm people. The opinion state that certain doctors in Lincoln proposed to the trustees of frequently as to interfere with school the home to make it a hospital. The work or to constitute it a house of work trustees agreed with the understanding ship. that none of the expense abould be charged to the home. The doctors incurred an expense of \$20,000, and these

The Lancaster county district court the higher court reverses the judgment and remands the case back for trial. Equalization in Court.

In an opinion of the state supreme court the action of the district court of the complainants was not a resident of Gosper county is upheld in that taxpayers, either corporations or individuals, who fall to give county boards of equaltration full data on their property values GAGE COUNTY PAYING OFF are estopped from raising kicks later in district court because of alleged over val-

The case is one brought by J. S. Hatcher & Co., in which the valuation of Supervisors Thursday steps were taken of the company's property was raised to pay off the defunct bank account, and from \$10,000 to \$61,000 and a 50 per cent it was ordered that the sum of \$7,839.27 from \$10,600 to \$61,000 and a 50 per cent it was ordered that the sum of \$7,339.27 Rev. B. A. Fye left for Bancroft, Neb., penalty tacked on for refusal to list the be transferred from the general fund to Monday morning to assist Rev. Mr. Clark property. The district court holds that apply on this account. The defunct bank the county board had the right to make account amounts to \$20,939.27, and is the the raise and the supreme court affirms outcome of bank failures in 1895, when day evening to spend a few days with her daughter, Mrs. R. M. Erway.

upholds the lower court in that when a carry a profit and loss account this sum county under 1911 legislative enactment could not be charged off and had to be abolishes the office of county assessor and puts the duties on the county clerk, the county board is continued in power as a board of equalization.

No Pay for Dog Bite.

The man who steps in to break up a "sicking" on the combatants.

This is the opinion of the supreme court in the celebrated bulldog case brought from Hamilton county, wherein Myrl Warrick, a Grand Island horse trader, quickly helped by Or. King's New Dis-brought suit against John Farley, son of covery. The first dose helps. Best remex-Representative W. I. Farley of Au- edy for coughs, colds and lung diseases. rors, for damages sustained from being 50c and \$L. All druggists.-Advertisement.

Nebraska

bitten by a buildog owned by young Farley and known in state university circles as "the fighting Kappa Sigma dog" and

The court holds that "Where a dog is allowed to run at large and bites the ROAD NOT HELD FOR FLOOD owner of another dog with which he is in a fight and the owner it bitten while negligently trying to separate the animales there is no liability for damages unless the evidence shows that the owner of the dog which committed the injury knew that his dog was accustomed to biting people."

Exemption Upheld.

The county court has exclusive original Surisdiction over the administration and settlement of the estates of deceased persons according to an opinion given by the supreme court in the settlement of a democrat from a national convention the estate of George M. Boyer, deceased

died. The suit is brought to compel the turning over by the administrator of the to the administrator of the estate of Mrs.

No Verdlet for Flood.

The Burlington railroad is not held for damages caused by floods in the Salt

The action was brought for damages the cable and while doing so the fore- sustained to property by the flood of 1908, man gave the hoisting signal and the which was so high that democratic deleplairtiffs hand was drawn into the pully. gations passing through Lincoln on their way to the national democratic convention at Denver were unable to proceed.

held against the rallroad by the supreme court hold an opposite view claiming that as the water was so high that ti over flowed the tracks of the road that the

Church Services in Schools. provided that the house is not used so

claims are asserted to be liens on the district No. 13 of that county to close

DEFUNCT BANK ACCOUNT

Kenrney Sells Pitcher.

dog fight takes his life in his own hands Charlotte, N. C., by President Kibler and cannot recover damages from the and has gone to the southern point for owner of one of the canine contestants practice. Several good players have been when the party damaged assisted in will commence on schedule time this season, with a good line of players in the

field.

Throat and Lung Troubles

coach dog belonging to Warrick, which

had been the winner in many battles.

Boyer died in 1910 and while the estate was being administered Mrs. Boyer also estate of Mr. Boyer the \$500 exemption Boyer. The Douglas county court held that the county court had authority to refuse to turn over the \$500 exemption and the high court affirms.

"Mid-Season

creek valley and the decision of the lower court is reversed.

The Lancaster county district court

track were not there.

Sunday schools can be held in school houses in the country districts according to a decision of the supreme court today,

The case was brought from Saline county by John W. Gilbert and John M. Simmons to compel the school board of the building for use on Sunday for religious purposes. It was shown that held for the construction company, but when the school house was built their was an understanding that it was to be used for religious purposes, but the evidence disclosed that it had been used very frequently. John Gilbert, one of the district, but paid taxes therein.

BEATRICE, Neb., March 13 - (Specia! -At a meeting of the Gage county Board this sum of money deposited by the In the same action the supreme court | county was lost. As the county does not | Saturday carried from year to year.

> KEARNEY, Neb., March 13.-(Special.) -Roy Plympton, the star pitcher of the Kapitalist team last year has been sold to



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When your winter suit is

bit uncomfortable or a little shabby there is nothing like a

blue serge. We've all grades from \$7.50 to \$35.00; and silk

\$15 up

Berg's clothes service for men, women and children are marked by their points of superiority-their drape and swing that make them fastidiously correct

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Gentlemen--

If you want to make your spring choice now come in and view the advance spring fabrics; It's the greatest stock of high grade clothes for young men and progressive mature men to be found anywhere.

They are clothes that awaken the wearer's ambition to be somebody and view life from a different angle. Narrow shouldered English models, semi-English and the broader shouldered American

\$10, \$12.50, \$15, \$18 \$20, \$22.50, \$25, etc.

"Spring Top Coat Fashions"

Soft and rough fabrics, in grays, mixtures and Scotch effects; Balmoccans and Ragians are the coats for real dressers.

\$15 to \$22.50



Splendid Low Priced **Trimmed Hats**

we sell so many good low priced hats" that we figure profit on voi-ums instead of individual sales, and every hat we sell looks a few dollars' worth better than the price we ask for it.

Saturday we feature Hemp and Milan Hemp hats in the new and popular styles, trimmed in garlands of roses, small flowers and striking ribbon bows, at—

\$5.00

Women's Spring Suits

The Best Values in Town-A Big Special Lot For Saturday at

A truly wonderful assortment of Sults at this price. Scores of pretty models that typify the season's best styles. Materians are crepe poplins, gabardines, serges, French crepes. Colors include Labrador, Tango, Pigskin, Plumcot, Black and White Checks and staple shades. Don't miss this chance to get a high grade, stylish suit at



HUNDREDS OF OTHER SPRING SUITS \$15.00. \$17.50. \$19.50 and \$25.00

STYLISH NEW SPRING COATS \$ 1 SPECIAL OFFERING FOR SATURDAY

A splendid assortment in the popular style % and % length coats with the new collars and flare at bottom. Materials are tweeds, cords, honeycombs—in checks and all new colors. Saturday—

\$165 New Messaline Petticoats \$4

In a heavy grade all-silk. A dozen dif-ferent style flounces in Irish green, Ameri-can Beauty, Tango, Wisterla, Copen, White,

NEW LINGERIE WAISTS FOR SPRING

With low necks and short sleeves, in dainty sheer lawns and volles. Handsomely embroidered and trimmed. All 85C sizes, 34 to 44. A special offer for Sat-

From Our Near Neighbors

CHILDREN'S WASH SUITS

Grand time now to pick out the pretty patterns and styles

for the youngsters. Everything is complete and it's well

95c up to \$10.00

Mr. and Mrs. Henry Freeman were ransacting business in Fremont Tuesday.

P. O. Harrier purchased a new five-eassenger Ford car of George Cowles Mrs. A. J. McDonald is suffering from a sprain of her wrist caused from a fall last October.

Mrs. Margaret Holdsworth went to Omaha Tuesday to spend the day with her sister, Mrs. Turk. Mrs. Bronson went to Benson Tuesday to visit her daughter, Mrs. Alex 8 sth. intil Thursday morning.

in a series of special meetings.

Mrs. Emerson of Omaha came out

Miss Mabel Doherty of Waterloo spent Saturday evening with Merle Doherty and both girls spent Sunday in Fremont. Miss Desdomonia Baldwin of Elkhorn was the guest of Mrs. Cecil Moore Wednesday. She sang at the school entertainment in the afternoon.

Mr. Smith of Omaha Theological Semi-nary will supply the pulpit of the Pres-byterian church Sunday morning and evening in the absence of Rev. Mr. Fye. Mr. and Mrs. W. S. Eddy sold their residence property to Mr. and Mrs. Fred Whitmore. Eddys have rented the John Wedin property and will move April 1,

Mrs. Isaac Noyes and Priscilla came from Dundee Sunday for a visit with Mr. and Mrs. Gardener. Mrs. Noyes re-turned Tuesday and Priscills will spend the week with her grandparents.

The Nebraska Picture company of Lin-coln, Neb., has an art exhibit of over 200 pictures on exhibition in the class room and laboratory of the Valley High school A very pleasing program was given from 3:30 o'clock to 4:30 o'clock under the auspices of the school the four afternoons

of the exhibit, Tuesday, Wednesday, Thursday and Friday. Miss Parson's room, grades fifth and sixth, received the picture given by the company to the room whose pupils sold the greatest number of season tickets.

The regular meeting of the Busy Bees was held in the Doherty hall Wednesday afternoon. Mrs. Charles Barber and Mrs. Enfield were received as new members. Mrs. 8. Jensen, Mrs. W. S. Eddy and Mrs. Henry Freeman were hostesses. Over 100 members and guests were entertained.

Bennington. John Timperley visited Omaha last Mon-

Mrs. Gus Glandt and daughter, Mabel. were in Omaha Tuesday.
Wayland Magee of Summer Hill farm,
has returned from his trip to the south.
Charles Grau attended the Meyer sale of

Poland-China hogs at Hooper, Neb., Sat-St. Patrick's day will be celebrated with a dance at the Modern Woodmen of America hall. urday.

Rev. and Mrs. Amrens and Mrs. Henry Tiedje spent last Saturday at the Henry Neumeyer home. Miss Etta Witt was surprised by her friends Tuesday evening, the occasion being her birthday.

Miss Nora Sumner, teacher in district

thirty-four, spent the week end at her home near Waterioo. The Bennington Plattdeutcher Verein gave one of their successful dances March 8, at the Modern Woodmen of America

George Dierks has retired from the farm and is now at home in the Dr. Lingen-felder property, which he purchased some

English services will be held at the Modern Woodmen of America hall Sun-day evening, March 15, Rev. Leidy of Omaha will have charge of the meeting. Mrs. Anna Boyer is delegate from the local camp of Royal Neighbors to the state convention of that order, which holds its triennial meeting in Omaha

Farmers are taking advantage of the good roads and the leisure time before farm work begins, and are marketing their hoge. Six carloads were delivered to local buyers Tuesday.

Elkhorn. Henry Bay and family went to Omaha Mrs. C. W. Baldwin was in Omaha the first of the week. Mr. and Mrs. H. A. Nolte were Omaha visitors Monday.

Miss Desdamona Baldwin was at Val-cy Wednesday and Thursday. Earl Baumgardner and family are mov-ing this week into the Denker house. Mrs. Herman Hansen entertained the Women's Kensington club last week. Mrs. Van Camp went to Omaha Thursay to visit a friend in one of the hos-

Henry Meyer and family were at Omaha Tuesday to have a family photograph Mrs. J. G. Seefus entertained the C. C. club Thursday. Mrs. G. H. Goodhard won

Miss Gold'e Haney of Gretna visited her aunt, Mrs. B. F. Calvert, Saturday and Sunday. Fred Carlson and family have moved to the country to make their home with Paul Pfieffer.

Mrs. Dave Keuhl entertained for her daughter, Miss Violet, Thursday, in honor of her birthday. C. A. Nownes was in Omaha several days this week. While absent Roy Do-herty kept store.

The little son of Mr. and Mrs. Hans Wendell fell last week on a door hinge, cutting a deep gash on his head. It required several stitches to close the wound. The home talent play given for the benefit of the Women's Kensington club Friday evening by the young people was well attended and netted them about \$65. Henry Fallon and Miss Mary New were married Wednesday at the home of the bride's parents. A recention was held in the svening. They will make their home on the farm of the groom's father north of town.

Weeping Water.
I. Raiston left last Tuesday for

Boyd county. Mrs. Turner Zink departed Wednesday for Waconda, Kan., where she will take treatment for her rheumatism. Born to Mr. and Mrs. Heary Ruhgs. who live south of town, a daughter, weight seven and one-half pounds.

Rev. William Elledge and M. M. Redenbaugh went to Wahoo Tuesday as delegates from the Congregational church to assist in the organizing of a church in that place.

Forty-seven members of the brother-hood of the Congregational church sur-prised Thomas Murtey on Wednesday

his residence here.

Mrs. C. A. Baldwin entertained a number of women at a dinner Wednesday
The guests were Mesdames Frank and Carl Day, Cowles, H. B. Wolcott and Miss Alice Carter.

Mrs. C. A. Troupe will deliver an illustrated lecture on the "Early History of Nebraska" at the Preabyterian church Tuesday evening, March 17. A male quartet from the Omaha Theological seminary will render several selections.

Mr. and Mrs. Henry Snell, who live east of town were surprised by about fifty of their relatives and friends, who came to help them celebrate their crystal wedding anniversary.

wedding anniversary.

Rev. William Reed, who has been doing missionary work in Ecuador is visiting his mother, Mrs. Barah Reed and brothers, Harry and Fred Reed. This formed a reunion of the Reed family from great grandmother to great grandson. Rev. Mr. Reed will soon return to South America.

At a meeting of the school board last Tuesday evening the following teachers were elected: Miss Olga Gereke, principal: Viola Noonan. languages: Floy Canady, eighth grade: Reine Jameson, sixth and seventh grades: Nora Gordon, fifth grade; Elsie Isherwood, third and fourth grades: Mildred Hart, second and third grades. No action was taken concerning the superintendent and science instructor.

Carl Koch of Seward is spending the week with his son, Superintendent E. H. Koch.

Art Ireland of Scott's Bluff, Neb., was looking up former Papillion friends Thursday.

Art Ireland of Scott's Bluff, Neb., was looking up former Papillion friends Constipated Bowels, sweetens the stomach gentle, harmless laxative to children. Miss Grace Corey visited Thursday and Friday with her sister, Miss Maude Corey, at Fort Crook. Mr. and Mrs. Frank

Mr. and Mrs. Frank Sweetman of Ofisha were guests of Mr. and Mrs. C. S. West Sunday. Mr. and Mrs. W. H. Davidson and Mr. and Mrs. Floyd Davidson were guests of Mr. and Mrs. I. D. Clarke Sunday. Miss Marjorie Thornton entertained the unior class and the teachers of the High school at her home Friday evening. The

H. Davidson arrived from Chicago

E. A. Fisher has moved his family to Weeping Water.

Samuel Bail of Louisville was calling on friends here this week.

Mr. and Mrs. Alva Scott of Wyoming are visiting at W. R. Wilber's.

Roy Whitney made a visit to Wayne county the fore part of the week.

Lee Blodgett was awarded \$000 damages against the Rock Island railroad

Davidson returned from Chicago on Wednesday.

Joe Aliey has announced a sale of his personal effects and will move with his family to Missouri.

Mrs. F. F. McCandless left here on Wednesday for Kempton, N. D., where she will apend the summer.

Mr. and Mrs. Cleve McCandless left Wednesday for Kempton, N. D., where they will make their future home.

The Springfield lumber yard changed hands this week, R. B. Harberg of Omaha buying the yard owned by Ida A. Bradford of Omaha.

Albert Cockerill, who left here six years ago for Denver, died Tuesday. The body was brought here and buried in the Springfield cemetery. He leaves a wife and five children.

on account of the loss of his crop last year by back water. Mrs. W. H. Davidson and Elizabeth Davidson returned from Chicago on

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Any child will giadly take "Cascarets, and puts the liver in a healthy condition Candy Cathartic," which act gently- Full directions for children and grownnever gripe or produce the alightest un-

ups in each package. Mothers can rest easy after giving this



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THESE ARE NICE CLEAN, NEW STYLES (ALL 1914 MODELS) FROM THIS GREATEST OF ALL PIANO FACTORIES. THESE PLAYERS AND PIANOS HAVE BEEN SELECTED BY MR. HOSPE PERSONALLY, AND INCLUDE SOME OF THE CHOICEST WOODS, SUCH AS MAHOGANY, GOLDEN OAK, BURL WALNUT AND MISSION FINISHES.

This is the greatest and finest shipment ever received in Omaha from the Kimbali factories.

Kimball Grand Pianos \$650 up Kimball Upright Pianos \$265 up Whitney Pianos\$250 up (Kimbali Mfg.) Kimball Player Pianos \$650 up Whitney Player Pianos \$450 up

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